

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Confirmation No.: 6870

M. GAU

Serial No.: 10/060,862

Group Art Unit: 3738

Filed: January 30, 2002

Examiner: Cheryl L. MILLER

For: INTERVERTEBRAL NUCLEUS PROSTHESIS AND SURGICAL PROCEDURE
FOR IMPLANTING THE SAME

AMENDMENT UNDER 37 C.F.R. §1.116

Expedited Procedure

Honorable Assistant Commissioner

For Patents

PO BOX 1450

Alexandria, VA 22313-1459

Sir:

This paper is being submitted in response to the After Final Office Action dated June 8, 2004. A petition to extend the time for responding to this action for two (2) months, to expire November 8, 2004, as well as the fee required therefore, are being filed herewith. It is believed that the fee is correct. However, if it is incorrect, kindly debit or credit an appropriate amount in the undersigned attorneys' deposit account 07-1337. Kindly amend the above identified patent application as follows: